

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
PAUL ENGSTROM,
Defendant.

2:21-CR-190-ART-EJY

Amended Final Order of Forfeiture

PAUL ENGSTROM,

Defendant.

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1), 853(a)(2), and 853(p); 21 U.S.C. § 881(a)(4) with 28 U.S.C. § 2461(c); 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(A) with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); and 18 U.S.C. § 982(a)(1) based upon the plea of guilty by Paul Engstrom to the criminal offenses, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Information and shown by the United States to have the requisite nexus to the offenses to which Paul Engstrom pled guilty. Superseding Criminal Information, ECF No. 259; Plea Agreement, ECF No. 260; Arraignment & Plea, ECF No. 265; Preliminary Order of Forfeiture, ECF No. 266.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

The in personam criminal forfeiture money judgment amount of \$1,715,577 complies with *United States v. Lo*, 839 F.3d 777 (9th Cir. 2016); *Honeycutt v. United States*, 581 U.S. 443 (2017); *United States v. Thompson*, 990 F.3d 680 (9th Cir. 2021); and *United States v. Prasad*, 18 F.4th 313 (9th Cir. 2021).

1 This Court finds the United States published the notice of forfeiture in accordance
2 with the law via the official government internet forfeiture site, www.forfeiture.gov,
3 consecutively from July 27, 2023, through August 25, 2023, notifying all potential third
4 parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No.
5 284-1, p. 5.

6 This Court finds the United States notified known third parties of their right to
7 petition the Court by regular mail and certified mail return receipt requested. Notice of
8 Filing Service of Process – Mailing, ECF No. 286; Addendum to Notice of Filing Service of
9 Process – Mailing, ECF No. 290.

10 On August 24, 2023, the United States Attorney's Office served Crane M.
11 Pomerantz and Vincent Cuomo c/o Crane M. Pomerantz at Clark Hill PLC with copies of
12 the Preliminary Order of Forfeiture and the Notice through regular mail and certified mail
13 return receipt requested. Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 3,
14 7-19.

15 On August 24, 2023, the United States Attorney's Office served Lucas Gaffney and
16 Joseph Krieger c/o Lucas Gaffney at Gaffney Law with copies of the Preliminary Order of
17 Forfeiture and the Notice through regular mail and certified mail return receipt requested.
18 Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 3, 7-15, 20-22.

19 On August 24, 2023, the United States Attorney's Office served Abraham Elliott c/o
20 Kendall S. Stone at Pitaro & Fumo, Chtd. with copies of the Preliminary Order of
21 Forfeiture and the Notice through regular mail and certified mail return receipt requested.
22 Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 3, 7-15, 23-25.

23 On August 24, 2023, the United States Attorney's Office served and attempted to
24 serve Kendall S. Stone, Attorney for Abraham Elliott at Pitaro & Fumo, Chtd. with copies
25 of the Preliminary Order of Forfeiture and the Notice through regular mail and certified
26 mail return receipt requested. The regular mail was not returned. The status of the certified
27 mail is unknown as the US Postal Service has the document listed as in transit since August
28 28, 2023. Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 3, 7-15, 26-28.

1 On August 24, 2023, the United States Attorney's Office served Abraham Jay Elliott
2 at Midseason Mist Street with copies of the Preliminary Order of Forfeiture and the Notice
3 through regular mail and certified mail return receipt requested. Notice of Filing Service of
4 Process – Mailing, ECF No. 286-1, p. 3, 7-15, 29-31.

5 On August 24, 2023, the United States Attorney's Office served and attempted to
6 serve Abraham Jay Elliott at Lonesome Biker Lane with copies of the Preliminary Order of
7 Forfeiture and the Notice through regular mail and certified mail return receipt requested.
8 The regular mail was not returned. The certified mail was returned as unclaimed and unable
9 to forward. Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 3, 7-15, 32-34.

10 On August 24, 2023, the United States Attorney's Office served Virginia Engstrom at
11 Saint Augustine Lane with copies of the Preliminary Order of Forfeiture and the Notice
12 through regular mail and certified mail return receipt requested. Notice of Filing Service of
13 Process – Mailing, ECF No. 286-1, p. 7-15, 35-36; Addendum to Notice of Filing Service of
14 Process – Mailing, ECF No. 290.

15 On August 24, 2023, the United States Attorney's Office served and attempted to
16 serve Virginia Engstrom at Southern Highlands Pkwy with copies of the Preliminary Order
17 of Forfeiture and the Notice through regular mail and certified mail return receipt requested.
18 The regular mail was not returned. The certified mail was returned as unclaimed and unable
19 to forward. Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 4-15, 38-40.

20 On August 24, 2023, the United States Attorney's Office served and attempted to
21 serve Daniel Kryszel at Saint Augustine Lane with copies of the Preliminary Order of
22 Forfeiture and the Notice through regular mail and certified mail return receipt requested.
23 The regular mail was not returned. The certified mail was returned as unclaimed and unable
24 to forward. Notice of Filing Service of Process – Mailing, ECF No. 286-1, p. 4, 7-15, 41-43.

25 On August 24, 2023, the United States Attorney's Office served Daniel Kryszel at
26 Southern Highlands Pkwy with copies of the Preliminary Order of Forfeiture and the Notice
27 through regular mail and certified mail return receipt requested. Notice of Filing Service of
28 Process – Mailing, ECF No. 286-1, p. 4, 7-15, 44-46.

1 On August 24, 2023, the United States Attorney's Office attempted to serve Daniel
 2 Krynzl at Russell Road with copies of the Preliminary Order of Forfeiture and the Notice
 3 through regular mail and certified mail return receipt requested. The regular mail and
 4 certified mail were both returned as attempted not known and unable to forward. Notice of
 5 Filing Service of Process – Mailing, ECF No. 286-1, p. 4, 7-15, 47-49.

6 This Court finds no petition was filed herein by or on behalf of any person or entity
 7 and the time for filing such petitions and claims has expired.

8 This Court finds no petitions are pending regarding the property named herein and
 9 the time has expired for presenting such petitions.

10 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
 11 all possessory rights, ownership rights, and all rights, titles, and interests in the property
 12 hereinafter described are condemned, forfeited, and vested in the United States:

- 13 1. 2020 smokey gray Harley-Davidson Touring, VIN 1HD1TEH23LB954585,
 14 bearing Nevada License plate number STINKS;
- 15 2. 2019 white Ducati Racer Motorcycle, VIN ZDMVABDS0KB007875, bearing
 16 Nevada License plate number KNZL;
- 17 3. 2019 black Ducati Cruiser Motorcycle, VIN ZDM13BKW2KB010548, bearing
 18 Nevada License plate number XDVL;
- 19 4. 2019 titanium gray and black Ducati X Diavel Motorcycle, VIN
 20 ZDM13BKW1MB000502, bearing Nevada License plate number NX191017;
- 21 5. 2021 black hole with pinstripe Harley Davidson Cruiser, VIN
 22 1HD1TCL13MB952002, bearing Nevada License plate number 910044;
- 23 6. 2020 red Ducati Superleggera Motorcycle, VIN ZDMDAGUW1LB000138;
- 24 7. 284.742879735905 Monero Cryptocurrency

25 (all of which constitutes property); and

26 that the United States recover from Paul Engstrom the in personam criminal
 27 forfeiture money judgment of \$1,715,577, not to be held jointly and severally liable with any
 28 codefendants, the collected money judgment amount between the codefendants is not to

1 exceed \$1,715,577 to ensure the government does not collect more than the forfeitable
2 amount based on the forfeiture statutes and Ninth Circuit cases, and that the property will
3 be applied toward the payment of the money judgment under Ninth Circuit case law,
4 forfeiture statutes, and Fed. R. Crim. P. 32.2(b)(2)(A); and

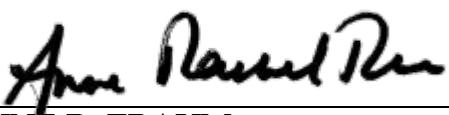
5 the forfeiture of the money judgment and the property is imposed under Fed. R. Crim.
6 P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 981(a)(1)(C) with 28
7 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1), 853(a)(2), and 853(p); 21 U.S.C. § 881(a)(4) with 28
8 U.S.C. § 2461(c); 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(A)
9 with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C.
10 § 982(a)(1); and 21 U.S.C. § 853(n)(7); that the money judgment shall be collected; and that
11 the property and the collected amount shall be disposed of according to law.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that under Fed. R.
13 Crim. P. 32.2(c) and 21 U.S.C. § 853(n)(7), all possessory rights, ownership rights, and all
14 rights, titles, and interests in the property are extinguished and are not recognized for Paul
15 Engstrom, Vincent Cuomo, Joseph Krieger, Abraham Jay Elliott, Virginia Engstrom,
16 Daniel Krynel, and all third parties.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
18 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
19 deposit, as well as any income derived as a result of the government's management of any
20 property forfeited herein, and the proceeds from the sale of any forfeited property shall be
21 disposed of according to law.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
23 copies of this Order to all counsel of record and three certified copies to the United States
24 Attorney's Office, Attention Asset Forfeiture Unit.

25 DATED February 7, 2024.

26 
27 ANNE R. TRAUM
28 UNITED STATES DISTRICT JUDGE